

REMARKS

Applicants respectfully request reconsideration of this application, and reconsideration of the Office Action dated September 22, 2004. Upon entry of this Amendment, claims 1 and 2 will remain pending in this application. The changes to claim 1 are supported by the specification and the original claims (e.g. page 12, lines 2-4). In addition, the first paragraph of the specification has been updated to include the U.S. Patent No. of the parent application. No new matter is incorporated by this Amendment.

Applicants note claims 3, 5, 6, and 8-10 have been canceled by this Amendment. Hence, the rejections based on double patenting and 35 U.S.C. §103(a) that include the above claims are moot and will not be further addressed.

Applicants further note that the signed copy of the Information Disclosure Statement attached to the previous Office Action did not include the Examiner's initial next to each of the citations under the Other Information heading. Hence, Applicants respectfully request that the Examiner return another signed copy of the I.D.S. which includes the Examiner's initial next to the three citations. For the Examiner's convenience, another copy of the Form PTO 1449 from such IDS is attached hereto.

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The drawings are objected to in the Action because the Examiner asserts that descriptive legends for Figures 1, 3, 5 and 6 are required. The drawings are revised and enclosed herewith. Hence, withdrawal of the objection is requested.

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Claims 1 and 2 are rejected under 35 U.S.C. § 102(b) as purportedly anticipated by Sorrels et al. (U.S. Patent 6,091,940). The Office Action asserts Sorrels describes each

feature of claims 1 and 2 and thus anticipates these claims. Applicants respectfully traverse.

Independent claim 1, from which claim 2 depends, concerns a voltage controlled oscillator for controlling the oscillation frequency of an output signal depending on an input voltage. The oscillator receives a modulated voltage. It uses any one of a varactor, a reactance transistor, and a digital oscillator with a multivibrator to output an FM signal. The FM signal is defined as having a band including the fundamental oscillation frequency, and higher harmonic components of the fundamental. Sorrels simply neither teaches nor fairly suggests Applicants' recited oscillator that comprises a varactor, a reactance transistor, or a digital oscillator with a multivibrator. In this regard, Applicants point out that Sorrels teaches that the frequency of the oscillating signal 2306 varies as a function of the voltage of the modulating baseband signal 2302. See Column 27, Lines 39-41. This teaching would not have led those of ordinary skill in the art towards Applicants' recited oscillator. For these reasons, Sorrels fails to teach or fairly suggest each and every feature of claim 1.

Thus, in view of the above remarks, this rejection is overcome and its withdrawal is respectfully requested.

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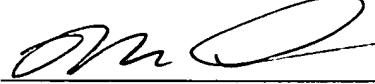
Applicants respectfully submit that this Amendment and the above remarks obviate each of the outstanding objections and rejections in this case, thereby placing the application in condition for immediate allowance. Allowance of this application is earnestly solicited.

If any fees under 37 C.F.R. §§1.16 or 1.17 are due in connection with this filing, please charge the fees to Deposit Account No. 02-4300; Order No. 033216.0391.

If an extension of time under 37 C.F.R. § 1.136 is necessary that is not accounted for in the papers filed herewith, such an extension is requested. The extension fee should be charged to Deposit Account No. 02-4300; Order No. 033216.0391.

Respectfully submitted,
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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT		ATTY. DOCKET 33216M0391	SERIAL NO. To Be Assigned
		Masanori IIDA et al.	
		FILING DATE Herewith	GROUP ART UNIT To Be Assigned

U.S. PATENT DOCUMENTS

*Examiner's Initials		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE, IF APPROPRIATE
sk	AA	6,016,426	01/2000	Bodell, Donald H.	—	—	
sk	AB	6,091,932	07/2000	Langlais, Brian	—	—	
sk	AC	6,091,940	07/2000	Sorrells et al.	—	—	
	AD						

FOREIGN PATENT DOCUMENTS

*Examiner's Initials		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES NO
sk	AE	EP 0 503 512 A	9/16/92	Europe	—	—	
sk	AF	EP 0 461 937 A	12/18/91	Europe	—	—	
sk	AG	2700622	10/3/97	Japan	—	—	X
sk	AH	11-41171	2/12/99	Japan	—	—	X*
	AI						
	AJ						
	AK						
	AL						
	AM						

OTHER INFORMATION (Including Author, Title, Date, Pertinent Pages, Etc.)

	AN	J. Chen et al., "FM Subcarrier Fiber Optical Transmission System Design and Its Application in Next-Generation Wireless Access", Journal of Lightwave Technology, Vol. 16, No. 7, July 1998
	AO	T. Nakagawa et al., "New MMIC's for Tuners in Multichannel Video Distribution Systems Using Optical Fiber Networks", IEEE Transactions on Microwave Theory and Techniques, Vol. 43, No. 7, July 1995
	AP	G. Chang et al., "Clear Channel Transmission of ATM/SONET and Subcarrier Multiplexed Signals in a Reconfigurable Multiwavelength All-Optical Network Testbed", IEEE Photonics Technology Letters, Vol. 8, No. 10, October 1996
	AQ	

EXAMINER:

sk

DATE CONSIDERED:

9/7/2004

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

* partial translation provided by Applicants

IN THE FIGURES:

Applicants file with this Amendment, four drawing Replacement Sheets that amend Figs. 1, 3, 5 and 6 in this application. Figures 1, 3, 5, and 6 each are amended to include descriptive legends for drawing elements. Applicants respectfully request the Examiner's approval and entry of these formal drawings.